

Atty. Docket No.: PG3119US2

REMARKS

Claims 1-23 are pending in this application and again are before the Examiner for examination.

Section 112, Second Paragraph Rejections

Claims 1-23 are rejected under 35 U.S.C. 112, second paragraph as being indefinite. Specifically, the Office Action asserts several instances of indefinite language. Applicants have amended the claims to introduce more clarity into the claims by implementing the Examiner's suggestions and/or correcting errors in the claims. Applicants now believe the instant Section 112 rejections are overcome by amendment and request they be withdrawn.

Obviousness-Type Double Patenting Rejection

Claims 1-23 are rejected under the judicially created doctrine of obviousness type double patenting over Claims 30 to 32 of U.S. Patent 6,391,874. Apparently, the Examiner did not received the previously submitted terminal disclaimer. Resubmitted herewith is a terminal disclaimer in compliance with 37 C.F.R. 1.321(c), which disclaims the terminal portion of the term of the present invention to the expiration date of U.S. Patent 6,391,874.

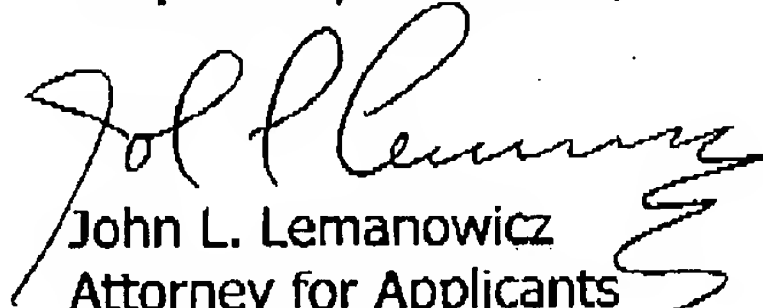
Applicants assert that the rejection is obviated by the filing of the terminal disclaimer and respectfully request it be withdrawn.

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CONCLUSION

The points and concerns of the Examiner having been addressed in full, Applicants respectfully submit that the instant application is in condition for allowance, which action is respectfully requested. Should any issues remain unresolved in this application which would bar issuance, the Examiner is invited to contact the undersigned Attorney at (919) 483-8247, to discuss such issues. Applicants believe that no fees are due in connection with the filing of this paper other than those specifically authorized herewith. However, should any other fees be deemed necessary to effect the timely filing of this paper the Commissioner is hereby authorized to charge such fees to Deposit Account No. 07-1392.

Respectfully submitted,



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